

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58840 of 2018**

Arising Out of PS. Case No.-202 Year-2012 Thana- DIGHWARA District- Saran

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Vishun Dayal Sah @ Vishnu Dayal Sah, Son of Late Khublal Sah, Resident of  
Village- Ramdas Chak, P.S.- Dighwara, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ravi Prakash

For the Opposite Party/s : Mr. Sri Rajkishore Singh

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**CORAM: HONOURABLE MR. JUSTICE S. KUMAR**

ORAL ORDER

2      04-10-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner, who is in custody, seeks bail in  
connection with Dighwara P.S. Case No. 202 of 2012 registered  
for the offence punishable under Sections 341, 323, 307,  
302/34 of the Indian Penal Code.

Allegation against petitioner and other co-accused  
are of assaulting the informant's son with lathi, danda as well  
as fists, as a result of which he fell down on the ground and was  
taken to the hospital for treatment, thereafter he died during  
treatment.

It has been submitted on behalf of the petitioner  
that petitioner is innocent and has been falsely implicated in



this case. There is general and omnibus allegation against petitioner. From perusal of the case diary it appears that all the witnesses disclosed that at the time of occurrence petitioner was not present there. Police after investigation did not find case to be true against petitioner and did not sent up him for trial. It has been further submitted that co-accused persons, namely, Badal Sah and Raju Sah have been granted bail by Sessions Court. Petitioner has no criminal antecedent and he is in custody since 11.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Vth, Saran at Chapra, in connection with Dighwara P.S. Case No. 202 of 2012.

**(S. Kumar, J)**

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